

AMENDMENT

Kindly amend the application, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:<sup>1</sup>

IN THE TITLE

Kindly amend the Title, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, to read as follows:

--TRANSFORMED *BRASSICA* CC GENOME COMPRISING *BRASSICA* AA  
TRANSPARENT SEED COAT GENE --

IN THE CLAIMS

Kindly amend the claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents, as follows:

36. (Amended) A transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof comprising one or more exogenous transparent seed coat genes obtained from a *Brassica* AA genome, whereby the transformed *Brassica* CC plant stably contains the exogenous seed coat genes and produces seeds having a stable and uniform yellow phenotype.

37. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 36 wherein said *Brassica* CC plant is transformed by a method comprising transferring one or more transparent seed coat genes of a *Brassica* AA genome into a *Brassica* CC genome, chromosome doubling and embryo rescue.

38. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 36 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

39. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 37 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

<sup>1</sup> Attached hereto is an Appendix is a marked up version of the Amendment, showing changes made and captioned "Appendix: Version With Markings to Show Changes Made."

40. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 38 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

41. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 39 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

42. (Amended) The transformed *Brassica* CC plant, cell, tissue, or seed thereof or genome thereof according to Claim 36 wherein the transformed *Brassica* CC genome is a transformed *Brassica napus* CC genome.

43. (Amended) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 37 wherein the transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof is a transformed *Brassica napus* CC genome.

44. (Amended) The transformed *Brassica* CC plant, cell, tissue, or seed thereof or genome thereof according to Claim 38 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

Please add the following claims, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents:

110. (New) A method for preparing the transformed *Brassica* CC plant according to Claim 36 comprising transferring one or more transparent seed coat gene of a *Brassica* AA genome into a *Brassica* CC genome, chromosome doubling and embryo rescue.

111. (New) The method according to Claim 110 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

112. (New) The method according to Claim 110 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

113. (New) The method according to Claim 110 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

114. (New) The method according to Claim 111 wherein the *Brassica* CC genome is a transformed *Brassica napus* CC genome.

115. (New) The method according to Claim 112 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

116. (New) A method for producing the transformed Brassica CC seed of Claim 36 comprising transferring one or more transparent seed coat gene of a *Brassica* AA genome into a *Brassica* CC genome, chromosome doubling, embryo rescue, growing a transformed *Brassica* CC plant from the embryo, and obtaining seed therefrom.

117. (New) The transformed *Brassica* CC plant, cell, tissue, or seed thereof or genome thereof according to Claim 36 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC plant, or cell, tissue or seed thereof, or genome thereof is a transformed *Brassica napus* AACC plant, cell, tissue or seed thereof, or genome thereof.

118. (New) The transformed *Brassica* CC plant, cell, tissue, or seed thereof or genome thereof according to Claim 37 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC plant, or cell, tissue or seed thereof, or genome thereof is a transformed *Brassica napus* AACC plant, cell, tissue or seed thereof, or genome thereof.

119. (New) The method according to Claim 110 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC plant is a transformed *Brassica napus* AACC plant.

120. (New) The method according to Claim 116 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC seed is a transformed *Brassica napus* AACC seed.

121. (New) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 36 wherein the transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof is not derived from *Brassica carinata*.

122. (New) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 37 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

123. (New) The method according to Claim 110 wherein the transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof is not derived from *Brassica carinata*.

124. (New) The method according to Claim 116 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

125. (New) The transformed transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 117 wherein the transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof is not derived from *Brassica carinata*.

126. (New) The transformed *Brassica* CC plant, or cell, tissue, or seed thereof, or genome thereof according to Claim 118 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

127. (New) The method according to Claim 119 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

128. (New) The method according to Claim 120 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

129. (New) The transformed *Brassica napus* CC plant of Claim 125 which is *Brassica napus* 13-217 deposited as NCIMB 40991.

130. (New) The transformed *Brassica napus* CC plant of Claim 125 which is *Brassica napus* 13-219 deposited as NCIMB 40992.

131. (New) A method for producing a transformed *Brassica* CC seed comprising obtaining seed from a plant of Claim 131 or 132, wherein the seed has a stable and yellow phenotype.

132. (New) The transformed *Brassica* CC seed of Claim 126 or 127.--

Kindly cancel claims 45-109, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.